

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
**FILED**  
DEC 31 2008  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS

FACTUAL RESUME

UNITED STATES OF AMERICA v. JASON ALAN SEYFFERT  
NO. 1:08-CR-057-C - ABILENE DIVISION - NORTHERN DISTRICT OF TEXAS

INDICTMENT: TO BE ARRAIGNED ON COUNT THREE OF  
INDICTMENT 1:08-CR-057-C -  
Charging a violation of 18 U.S.C. § 2252A(a)(2)(A) -  
Interstate Receipt of Child Pornography.

MAXIMUM PENALTY: A term of imprisonment of not less than five years nor more  
than twenty years, a fine of not more than \$250,000.00, or  
both. A term of supervised release of up to life must follow  
any term of imprisonment. If Seyffert violates the conditions  
of supervised release, he could be imprisoned and subject to  
additional terms of supervised release and imprisonment as  
determined by the Court in accordance with law.

MANDATORY  
SPECIAL  
ASSESSMENT: \$100.00

PLEA AGREEMENT: As set forth in the Plea Agreement letter attached hereto and  
incorporated herein.

ELEMENTS OF  
THE OFFENSE: **18 U.S.C. § 2252A(a)(2)(A). Interstate Receipt of Child  
Pornography:**

Defendant Jason Alan Seyffert:

1. On or about the date charged in the indictment;
2. knowingly received;
3. child pornography;
4. that had been mailed, or shipped, or transported in  
interstate or foreign commerce by any means, including by  
computer.

"Child pornography" means any visual depiction of sexually explicit conduct where such visual depiction is of a minor engaging in sexually explicit conduct.

A "minor" is any person under the age of eighteen years.

"Sexually explicit conduct" means:

- (A) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex;
- (B) bestiality;
- (C) masturbation;
- (D) sadistic or masochistic abuse; or
- (E) lascivious exhibition of the genitals or pubic area of any person.

FACTS:

Beginning in approximately 2006, Seyffert became interested in child pornography. He began using the Internet to collect images and videos of child pornography from online contacts, Web sites, and through use of the Limewire peer-to-peer software file sharing program. When searching for child pornography on Limewire, Seyffert used the search terms "young," "boy," and "boy/dad," intending to locate images and videos depicting sexually explicit conduct between underage boys and adult males. Seyffert transmitted fewer than 10 child pornography videos and fewer than 20 child pornography images over the Internet to his online contacts.

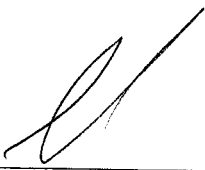
All of the images and videos of child pornography in Seyffert's possession were downloaded by him from the Internet, at his residence in Merkel, Texas, using his computer. Seyffert transferred child pornography images and video files he downloaded from the Internet onto storage media, including at least one DVD.

On December 8, 2007, while searching for child pornography on the Internet, Seyffert knowingly received a video entitled "bl1-1.avi." This video depicts a male child under the age of 18 years engaging in genital-anal sexual intercourse with another male.

The above facts are true and correct:

X   
\_\_\_\_\_  
JASON ALAN SEYFFERT  
Defendant

12-19-08  
\_\_\_\_\_  
Date

X   
\_\_\_\_\_  
SAMUEL DAVID MEHAFFEY  
Attorney for Defendant

12-19-08  
\_\_\_\_\_  
Date